

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6496

KENNETH GREEN,

Plaintiff - Appellant,

versus

UNKNOWN SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS OFFICIALS; SOUTH CAROLINA
ADMINISTRATIVE LAW JUDGE DIVISION,

Defendants - Appellees,

and

CLERK OF THE SOUTH CAROLINA SUPREME COURT,

Defendant.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Henry M. Herlong, Jr., District Judge.
(CA-02-4112-9-20BG)

Submitted: July 24, 2003

Decided: July 30, 2003

Before MICHAEL and MOTZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Kenneth Green, Appellant Pro Se. Ruskin C. Foster, MCCUTCHEN,
BLANTON, JOHNSON & BARNETTE, L.L.P., Columbia, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Kenneth Green seeks to appeal the district court's order accepting a magistrate judge's recommendation and dismissing without prejudice his 42 U.S.C. § 1983 action as to some claims. The court ordered that Green's suit continue as to remaining claims. This Court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). Because it does not dispose of all of his § 1983 claims, the order Green seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED